



State Water Resources Control Board



Winston H. Hickox
*Secretary for
Environmental
Protection*

Division of Water Rights

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NOV - 1 2002

Mr. Paul Marshall
California Department of Water Resources
Bay-Delta Office
1416 Ninth Street, P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Marshall:

COMMENTS ON THE NOTICE OF PREPARTATION FOR AN EIR/EIS FOR THE SOUTH DELTA IMPROVEMENTS PROGRAM

The State Water Resources Control Board (SWRCB) wishes to comment briefly on above referenced Notice of Preparation.

As you know, the SWRCB has a longstanding interest in this issue and has addressed the effects of the permanent tidal barriers at length in the Environmental Impact Report for Implementation of the 1995 Bay-Delta Water Quality Control Plan, and in Decision 1641 (D-1641). D-1641 conditionally approves joint use of the Department of Water Resources (DWR) and the Bureau of Reclamations (USBR) diversion facilities in the Delta (JPOD). The decision (see D-1641, p. 153 & 158) requires the DWR and the USBR to certify a project-level environmental document prior to Stage 3 JPOD use if permanent barriers are to be used as a means of increasing Delta exports above those specified in the U.S. Army Corps of Engineers PN 5820-A.

Your Notice of Preparation indicates that the three primary issues with respect to water in the Delta associated with the proposed project are: 1) water level, 2) water quality and 3) fishery concerns. We agree with this assessment. The analysis in your document should be sufficiently detailed to support a revised water level response plan and a revised fishery protection plan prior to Stage 3 JPOD approval by the SWRCB. Particular attention should be directed toward the ability of the permanent barriers to help meet the water quality objectives for salinity in the interior Delta and the dissolved oxygen (DO) objective near Stockton. With respect to the DO objective, we suggest that you coordinate closely with the City of Stockton and utilize their existing DO model. The analysis in your document should also be sufficiently detailed to help support a triennial review of the objectives in the 1995 Water Quality Control Plan.

Thank you for the opportunity to comment on this Notice of Preparation.

Sincerely,

Nick Wilcox, Chief
Bay-Delta Unit